

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BOISEY CALDWELL,

Plaintiff,

-v-

GERMAN GERONIMO,

Defendant.

CIVIL ACTION NO. 19 Civ. 8253 (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

This case has been closed for over 18 months. On February 15, 2024, pro se Plaintiff filed a document in this matter (ECF No. 222 (the “Submission”)) styled as a notice of appeal of this Court’s August 27, 2021 Opinion & Order which, inter alia, denied Plaintiff’s motion for summary judgment. (ECF No. 143 (the “O&O”)). Caldwell v. Geronimo, No. 19 Civ. 8253 (KPF), 2021 WL 3848821 (S.D.N.Y. Aug. 27, 2021).

The United States Court of Appeals for the Second Circuit has already affirmed the O&O and this Court’s judgment after jury trial in favor of Defendant. Caldwell v. Geronimo, No. 22-1866, 2023 WL 6381292 (2d Cir. 2023) (summary order). Subsequently, Plaintiff filed in this Court a request for rehearing of the Second Circuit’s affirmation (ECF No. 218), which the Court directed be forwarded to the Second Circuit. (ECF No. 219). The Second Circuit denied Plaintiff’s request as untimely (Caldwell v. Geronimo, No. 22-1866 (2d Cir. Oct. 31, 2023), Dkt. No. 153), and has since returned to Plaintiff two sets of papers he filed in the matter.

Out of an abundance of caution and due to Plaintiff’s pro se status, the Clerk of Court is respectfully directed to transfer the Submission to the Second Circuit. This case remains closed.

Dated: New York, New York  
February 22, 2024

SO ORDERED.

  
SARAH L. CAVE  
United States Magistrate Judge